

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAWN LULEFF, on behalf of herself and all other
similarly situated,

Plaintiff,

v.

BANK OF AMERICA, N.A.; COLUMBIA FUNDS
SERIES TRUST f/k/a NATIONS FUNDS TRUST;
WILLIAM P. CARMICHAEL; and BANK OF
AMERICA CORPORATION,

Defendants.

Case No: 06-cv-1435

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the annexed Declaration of Tim A. O'Brien, the exhibits annexed thereto and the accompanying Memorandum of Law, Defendants Columbia Funds Trust, f/k/a/ Nations Funds Trust and William P. Carmichael will move this Court, at the United States District Courthouse, 500 Pearl Street, New York, New York 10007, before the Honorable John G. Koeltl for an order pursuant to Federal Rule of Civil Procedure 12(b)(2) and 12(b)(6), dismissing plaintiff's Complaint, along with such other and further relief as the Court deems just, proper and equitable.

Dated:
July 28, 2006

MORRISON & FOERSTER LLP

By: Tim O'Brien

Stephen M. Colangelo
Tim A. O'Brien (TO - 0575)
2000 Pennsylvania Avenue, N.W.
Washington, D.C. 20006-1888
(202) 887-1500

**Attorneys for Defendants
Columbia Funds Series Trust f/k/a Nations
Funds Trust and William P. Carmichael**

To:
Daniel Cobrinik, Esq.
2 Grand Central Tower
140 East 45th Street, 25th Floor
New York, New York 10017
Attorney for Plaintiff